

No. PD-0366-17

TO THE COURT OF CRIMINAL APPEALS  
OF THE STATE OF TEXAS

FILED  
COURT OF CRIMINAL APPEALS  
10/31/2017  
DEANA WILLIAMSON, CLERK

SAMUEL UKWUACHU,

Appellant

v.

THE STATE OF TEXAS,

Appellee

Appeal from McLennan County

\* \* \* \* \*

**STATE'S SECOND MOTION TO EXTEND TIME FOR  
FILING ITS BRIEF**

\* \* \* \* \*

Stacey M. Soule  
State Prosecuting Attorney  
Bar I.D. No. 24031632

John R. Messinger  
Asst. State Prosecuting Attorney  
Bar I.D. No. 24053705

P. O. Box 13046  
Austin, Texas 78711  
512/463-1660 (Telephone)  
512/463-5724 (Fax)

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

The State of Texas, by and through its State Prosecuting Attorney, respectfully submits to the Court its second motion to extend the time for filing its brief to and including the 3<sup>rd</sup> day of November, 2017. A previous motion was granted, and the State's brief is currently due on October 30, 2017. The undersigned attorney had only two weeks to work on the brief before taking family leave for a new child. Despite working from home through this leave when possible, a few additional days are required to complete the brief.

WHEREFORE, the State prays that its second motion to extend the time for filing its brief until November 3, 2017, be granted.

Respectfully submitted,

/s/ John R. Messinger  
JOHN R. MESSINGER  
Assistant State Prosecuting Attorney  
Bar I.D. No. 24053705

P.O. Box 13046  
Austin, Texas 78711  
512/463-1660 (Telephone)  
512/463-5724 (Fax)

## **CERTIFICATE OF SERVICE**

A copy of the foregoing State's Second Motion to Extend the Time for Filing its Brief has been eFiled on this the 30<sup>th</sup> day of October, 2017, and served on the following:

Sterling Harmon  
Appellate Division Chief  
219 North 6th Street, Suite 200  
Waco, Texas 76701  
[sterling.harmon@co.mclennan.tx.us](mailto:sterling.harmon@co.mclennan.tx.us)

William A. Bratton, III  
2828 Routh Street, Suite 675  
Dallas, Texas 75201  
[bill@brattonlaw.com](mailto:bill@brattonlaw.com)

/s/ John R. Messinger  
John R. Messinger  
Assistant State Prosecuting Attorney